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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FOURTH APPELLATE DISTRICT**

**DIVISION TWO**

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSEPH WAYNE JONES,

Defendant and Appellant.

E064993

(Super.Ct.No. FWV1500270)

OPINION

APPEAL from the Superior Court of San Bernardino County. Stanford E.

Reichert, Judge. Affirmed.

Christian C. Buckley, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

**FACTUAL AND PROCEDURAL HISTORY**

**A. PROCEDURAL BACKGROUND**

On September 4, 2015, defendant and appellant Joseph Wayne Jones (defendant) entered into a negotiated plea agreement. Defendant pled guilty to one count of felony

identity theft under Penal Code section 530.5, subdivision (a) (count 4) and one count of misdemeanor possession of a forged driver's license under Penal Code section 470b (count 3). Defendant also admitted a strike prior under Penal Code section 57, subdivisions (b) through (i). On October 5, 2015, the court sentenced defendant to 32 months in state prison in accordance with the plea agreement. The court also awarded defendant 454 days of presentence custody credits.

On December 14, 2015, defendant filed his notice of appeal and requested a certificate of probable cause. The court granted defendant's request.<sup>1</sup>

#### B. FACTUAL BACKGROUND<sup>2</sup>

Defendant's offenses involved theft or attempted theft by false pretense from Kay Jewelers and Zales Jewelers using false identifications and personal identifying information on December 19, 2014.

### **DISCUSSION**

After defendant appealed, and upon his request, this court appointed counsel to represent him. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738 setting forth a statement of the case, a summary of the facts, and potential arguable issues, and requesting this court to undertake a review of the entire record.

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<sup>1</sup> Defendant also filed a Petition for Writ of Mandate regarding the denial of a post-plea nonstatutory motion for the return of property. The writ was denied (case No. E064984).

<sup>2</sup> The parties stipulated that the police reports would provide a factual basis for the plea.

We offered defendant an opportunity to file a personal supplemental brief, but he has not done so. Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have independently reviewed the record for potential error and find no error.

**DISPOSITION**

The judgment is affirmed.

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MILLER  
J.

We concur:

RAMIREZ  
P. J.

McKINSTER  
J.